



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

HOUSE STANDING COMMITTEE ON JUDICIARY

Tuesday, October 17th, 2017 12:00 p.m. Room 326 House Office Building

Representative Runestad, Chair, called the meeting to order.

Chair Runestad requested attendance be called to establish a quorum of the appointed committee members:

Present: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.

Absent: None.

Excused: None.

Representative LaFave moved to approve the minutes of the October 10th, 2017 meeting. The motion prevailed by unanimous consent.

The Chair laid HB 5073 before the committee:

HB 5073 (Kesto)	Civil procedure; alternate dispute resolution; procedures for mediation and case evaluation of civil actions; revise.
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Representative Cole moved to report HB 5073 with the recommendation it be referred to the Committee on Law and Justice.

The Chair laid the committee at ease, the time being 12:06 p.m.

The Chair called the committee to order, the time being 12:07 p.m.

The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.

Nays: None.

Pass: None.

The Chair laid HB 4768 before the committee:

HB 4768 (Bizon)	Juveniles; criminal procedure; setting aside juvenile adjudication for completion of the Michigan youth challenge academy; provide for.
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Representative Bizon testified on a proposed substitute (H-1) for HB 4768.

Steve Kozera submitted a testimony card in support of the bill, but did not wish to speak.

Representative Theis moved to adopt substitute (H-1) for HB 4768. The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.

Nays: None.

Pass: None.

Representative Theis moved to report HB 4768, as substitute (H-1), with recommendation. The motion prevailed by a vote of 10-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Runestad, Theis, Howrylak, Cole, Hornberger, LaFave, Greimel, Robinson, Guerra, and Sowerby.

Nays: None.

Pass: None.

The Chair laid HB 4470 and HB 4471 before the committee:

HB 4470 (Iden)	Civil procedure; statute of limitations; appointment of receiver; that appointment does not constitute an action under the "one act" rule, and clarify that statute of limitations under other act does not conflict with the revised judicature act.
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HB 4471 (Iden)	Civil procedure; remedies; uniform commercial real estate receivership act; enact.
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Dave Worthams, representing the Michigan Bankers Association, submitted a testimony card in support of HB 4471, but did not wish to speak.

Rebecca Gean, representing Michigan Realtors, submitted a testimony card with no position on HB 4470, and did not wish to speak.

Representative Iden introduced the bills.

Kay Kress, representing Pepper Hamilton Attorneys at Law, testified in support of the bills.

Scott Hogan, representing Foster, Swift, Collins and Smith, testified in support of the bills.

Dan Yeomans, a Court Appointed Receiver, representing Amicus Management Inc., testified in support of the bills.

Judge Christopher Yates, from Kent County, testified in support of the bills.

Judge Yates, Dan Yeomans, Scott Hogan, and Kay Kress returned for questions and discussion.

Rebecca Gean, representing the Michigan Realtors testified on the bills.

There being no further business to come before the committee, the Chair adjourned the meeting, the time being 12:41 p.m.

Representative Runestad, Chair

Date Approved and Signed

Matthew Carnagie

Committee Clerk

October 17th, 2017